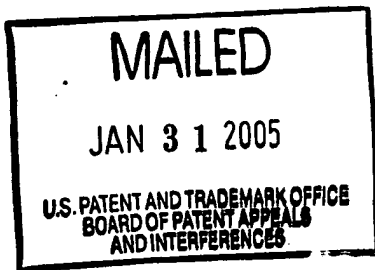


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte SCOTT T. HUGHES  
and  
MATTHEW W. MILNE

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Application No. 09/585,129

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ORDER RETURNING UNDOCKETED APPEAL

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This application was electronically received at the Board of Patent Appeals and Interferences on November 23, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

Information Disclosure Statements (IDSs) were filed on December 22, 2003 and August 6, 2004. It is not apparent from the record whether the examiner properly considered the IDSs

Application 09/585,129

submitted or notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

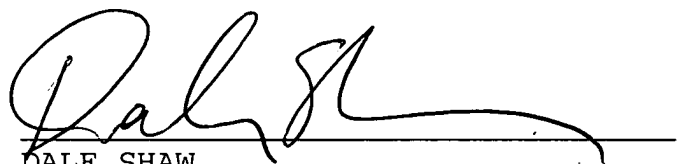
ORDERED that the application is returned to the

Examiner:

1. for consideration of the IDSs submitted December 22, 2003 and August 6, 2004;
  2. for notification to appellant of the action taken;
- and
3. for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

  
DALE SHAW  
Program and Resource Administrator  
(571) 272-9797

cc: Western Digital Corporation  
20511 Lake Forest Drive  
C205 - Intellectual Property Department  
Lake Forest, CA 92630

DS/psb/pb  
ra050180